

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. C 14-01781 WHA

v.

1.41 ACRES OF LAND, more or less, situated
in the City of Alameda, Alameda County, State
of California, and THE STATE OF
CALIFORNIA, acting by and through its
Department of Parks and Recreation, and the
EAST BAY REGIONAL PARK DISTRICT,

Defendants.

**ORDER GRANTING IN PART
MOTION TO CONTINUE
DEADLINES AND HEARING**

A November 2014 order invited the United States to file an early summary judgment motion by mid-February 2015. The United States brought that motion. Defendants then filed discovery letters and an “emergency motion” to continue pursuant to Rule 56(d) so the undersigned judge granted a one-month continuance (Dkt. No. 65). Defendants then represented in a submission, dated March 11, 2015, that “[b]ased on the United States’ anticipated schedule for providing the outstanding discovery, Defendants should be able to file their summary judgment oppositions on April 10” (Dkt. No. 73).

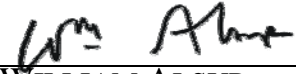
Now, defendants suddenly seek a second, one-month continuance so that they can review the “thousands” of documents they requested from the United States. Defendants further represent that the United States intends to produce more documents next week.

It is disappointing that both sides have not proceeded more expeditiously. Moreover, the instant motion is so lacking in sworn support and specific details regarding the parties’ efforts that it is hard to find good cause to grant it. Nevertheless, fact discovery does not close in this eminent-domain action until May 29, and trial does not begin until October 2015. Accordingly,

1 to the following limited extent, defendants' second Rule 56(d) motion is **GRANTED**. The deadline
2 for defendants to file an opposition brief is hereby continued from April 10 to **APRIL 24 AT**
3 **NOON**. The reply is due by **APRIL 30 AT NOON**. The April 30 hearing is hereby continued to
4 **THURSDAY, MAY 14 AT 2:00 P.M.**

5
6 **IT IS SO ORDERED.**

7
8 Dated: April 6, 2015.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE